

## **REMARKS/ARGUMENTS**

The Applicant originally submitted Claims 1-40 in the application. Previously, the Applicant amended Claims 1, 11, 21 and 31. In the present response, the Applicant has amended Claims 10, 20, 30 and 39. Presently, no other claims have been amended, canceled or added. Accordingly, Claims 1-40 are currently pending in the application.

### **I. Rejection of Claims 10, 20, 30 and 39 under 35 U.S.C. §112**

The Examiner has rejected Claims 10, 20, 30 and 39 under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. In response, the Applicant has amended Claims 10, 20, 30 and 39 to render this rejection moot. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §112, first paragraph rejection and allow issuance of Claims 10, 20, 30 and 39.

### **II. Rejection of Claims 1, 3, 5-9, 11, 13, 15-19, 21, 23, 25-29, 31, 33, 35-38 and 40 under 35 U.S.C. §102**

The Examiner has rejected Claims 1, 3, 5-9, 11, 13, 15-19, 21, 23, 25-29, 31, 33, 35-38 and 40 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,878,130 to Andrews, *et al.* As the Examiner is no doubt aware, anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference; the disclosed elements must either be disclosed expressly or inherently and must be arranged as in the rejected claims. The Applicant, therefore, respectfully disagrees with the Examiner since Andrews does not teach an input-output distributor (IOD) that receives call and control processing commands in a packet based protocol and conveys these commands to a circuit-

switched matrix and line interface to allow, based on those commands, the circuit-switched matrix and line interface to control access to a plurality of access nodes as recited in independent Claims 1, 11, 21 and 31.

Andrews relates to a distributed, fault-tolerant communications system and method for operating same that makes real-time, call routing decisions based upon system-wide resource utilization preferences and information. (See column 1, lines 17-23.) Andrews discloses central controllers that generate control signals for controlling calls from callers to agents. (See column 4, line 62-67; column 14, lines 13-21; Figure 1 and Figure 12.) The control signals, however, do not control access to a plurality of access nodes as recited in Claims 1, 11, 21 and 31. On the contrary, as mentioned above, the control signals in Andrews control the calls **from** callers (*i.e.*, caller 1 and caller 2 of Figure 12) to the appropriate agents or caller service. The Applicant does not find where Andrew teaches the control signals control access to the callers. Thus, Andrews does not teach an input-output distributor (IOD) that receives call and control processing commands in a packet based protocol and conveys these commands to a circuit-switched matrix and line interface to allow, based on those commands, the circuit-switched matrix and line interface to control access to a plurality of access nodes as recited in independent Claims 1, 11, 21 and 31.

Therefore, Andrews does not teach each and every element of independent Claims 1, 11, 21 and 31 and as such, does not anticipate Claims 1, 11, 21 and 31 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102 rejection with respect to Claims 1, 3, 5-9, 11, 13, 15-19, 21, 23, 25-29, 31, 33, 35-38 and 40 and allow issuance thereof.

### **III. Rejection of Claims 2, 10, 12, 20, 22, 30, 32 and 39 under 35 U.S.C. §103**

The Examiner has rejected Claims 2, 10, 12, 20, 22, 30, 32 and 39 under 35 U.S.C. §103(a) as being unpatentable over Andrews in view of U.S. Patent Application No. 2003/0128698 by Darland, *et al.* The Applicant respectfully disagrees.

As discussed above, Andrews does not teach an IOD that receives call and control processing commands in a packet based protocol and conveys these commands to a circuit-switched matrix and line interface to allow, based on those commands, the circuit-switched matrix and line interface to control access to a plurality of access nodes as recited in independent Claims 1, 11, 21 and 31. Additionally, Andrews does not suggest an IOD that receives call and control processing commands in a packet based protocol and conveys these commands to a circuit-switched matrix and line interface to allow, based on those commands, the circuit-switched matrix and line interface to control access to a plurality of access nodes as recited in independent Claims 1, 11, 21 and 31. Instead, Andrews discloses receiving service requests from callers and generating control signals to control the calls from the callers. (*See* column 14, lines 13-21.) Thus, Andrews does not teach or suggest each element of independent Claims 1, 11, 21 and 31.

Darland has not been cited to cure the deficiencies of Andrews but to teach the subject matter of the above dependent Claims. The cited combination of Andrews and Darland, therefore, do not teach or suggest each element of independent Claims 1, 11, 21 and 31 and Claims that depend thereon. As such, the cited combination does not provide a *prima facie* case of obviousness dependent Claims 2, 10, 12, 20, 22, 30, 32 and 39. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 2, 10, 12, 20, 22, 30, 32 and 39 and allow issuance thereof.

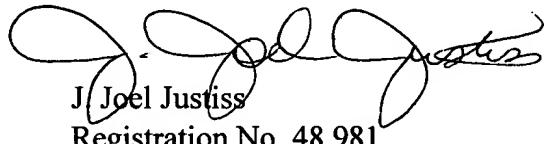
#### IV. Conclusion

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-40.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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Dated: 11/4/05

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